

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES

CRIMINAL ACTION

v.

TYRONE TRADER

NO. 04-680-06

ORDER

AND NOW, this 18th day of August, 2015, upon consideration of pro se defendant Tyrone Trader's Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence (Document No. 679, filed December 3, 2012); Petitioner's Amendment to Motion to Vacate, Set Aside or Correct Sentence (Document No. 702, filed August 15, 2013); Government's Response to Petitioner's Motion to Vacate, Set Aside, and Correct Sentence Pursuant to 28 U.S.C. § 2255 (Document No. 735, filed June 30, 2014); Petitioner's Reply to Government's Opposition to Motion to Vacate, Set Aside, or Correct Sentence (Document No. 758, filed June 12, 2015); and a letter from pro se defendant dated July 20, 2015 (Document No. 759, filed July 27, 2015), for the reasons stated in the accompanying Memorandum dated August 18, 2015, **IT IS ORDERED** as follows:

1. Pro se defendant's Amendment to Motion to Vacate, Set Aside or Correct Sentence (Document No. 702), which the Court construes as a Motion to Amend his Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence (Document No. 679), is **GRANTED**;
2. Pro se defendant's Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence, as amended, is **DISMISSED** and **DENIED**;
3. Pro se defendant's request for an evidentiary hearing is **DENIED**; and
4. A certificate of appealability **WILL NOT ISSUE** on the ground that reasonable jurists would not debate this Court's procedural rulings with respect to pro se defendant's claims

or whether he has stated a valid claim of the denial of a constitutional right. See Slack v. McDaniel, 529 U.S. 473, 484 (2000); Morris v. Horn, 187 F.3d 333, 340 (3d Cir. 1999); 28 U.S.C. § 2253(c).

BY THE COURT:

/s/ Hon. Jan E. DuBois
DuBOIS, JAN E., J.